581-027-0005
Definitions

The following definitions and abbreviations apply to rules within OAR 581, Div 27:

(1) “Adjusted Assessed Property Value per ADM” means the value calculated per OAR 581-027-0010 to determine the ranking of Districts on the Priority List for Funding.

(2) “Adjusted ADMr” means average daily membership as calculated under OAR 581-023-0006(5)-(7) reduced by the Average Daily Membership of virtual public charter schools in the District.

(3) “Adjusted ADMw” means the number of students in a District as calculated under ORS 327.061 and includes all weights, and extended Average Daily Membership weighted, as calculated under ORS 327.013(1)(c) reduced by the Average Daily Membership of virtual public charter schools in the District.

(4) “ADM” means Average Daily Membership.

(5) “ADMr” or “Resident Average Daily Membership” means average daily membership as calculated under OAR 581-023-0006(5)-(7).

(6) “Assessed Value” means the total assessed value of all tangible property within the boundaries of the District as published by the Oregon Department of Revenue.

(7) “Average Daily Membership” or “ADMw” means the number of students in a District as calculated under ORS 327.061 and includes all weights, and extended Average Daily Membership weighted, as calculated under ORS 327.013(1)(c).

(8) “Certified Assessor” means an entity or person who has gone through the process established by the Department that will certify the entity or person is qualified to perform the work.

(9) “Closing” means the date on which a District receives some or all of the proceeds of its Local GO Bonds.

(10) “Department” means the Oregon Department of Education.

(11) “District” or “Districts” means school districts, as defined in ORS 328.001(3), that are eligible to apply for a State Matching Grant.

(12) “DOGAMI” means the Oregon Department of Geology and Mineral Industries.

(13) “Environmental Hazard Assessment” means an assessment of a District’s radon exposure as one of the potential environmental hazards to be assessed as set forth in ORS 332.331.

(14) “Facility Assessment” means an assessment that evaluates one or more facilities in a District according to the requirements set forth in OAR 581-027-0035.

(15) “First in Time” means that portion of the Oregon School Capital Improvement Matching Account that is to be awarded to Districts based on the order in which the Department receives the applications.

(16) “Funding Cycle” means the period of time, as determined by the Department under OAR 581-027-0020(3), before and after a May or a November general election during which the Department will accept applications, issue commitments, award grants, and finalize grant agreements for State Matching Grants under the OSCIM Program.

(17) “Gross Square Footage” means the total square footage of the building as measured by the outside wall of the building.

(18) “Guaranteed Tax Base Amount” or “GTBA” means a theoretical tax base of $1,000,000 per ADM.

(19) “Guaranteed Tax Rate Amount” means $1,000 which is the GTBA multiplied by 0.001 for $1 of tax per $1,000 of Assessed Value.

(20) “Local GO Bonds” means general obligation bonds approved by voters for the benefit of a District during the Funding Cycle for which the District applied for a State Matching Grant.

(21) “Long-Range Facility Plan” means a plan that determines the long-range needs and goals of a District according to the requirements set forth in OAR 581-027-0040.

(22) “Oregon School Capital Improvement Matching Account” means an interest bearing account established in the State Treasury, separate and distinct from the General Fund, that consists of net proceeds from Article XI-P bonds issued under Article XI-P (School District Capital Costs) of the Oregon Constitution.

(23) “Oregon School Capital Improvement Matching Program” or “OSCIM Program” means the program created by Article XI-P of the Oregon Constitution and ORS 286A.769 to 286A.806.

(24) “Priority List” means the list created by the Department each biennium pursuant to ORS 286A.801 and the formula outlined in OAR 581-027-0010.

(25) “RVS” means Rapid Visual Screening data collected by DOGAMI and published on their website.

(26) “Seismic Assessment” means an assessment that evaluates one or more facilities in a District according to the requirements set forth in OAR 581-027-0050.

(27) “State Matching Grant” means the grant funds provided by the State through the OSCIM Program to match the proceeds of a District’s Local GO Bonds.

(28) “Students in Poverty” means the number of children, age 5 to 17, in families in poverty as described by the Small Area Income Poverty Estimate published by the U.S. Census Bureau.

(29) “Technical Assistance Grant” means a grant provided by the Department to a District such that a District can conduct an assessment as described in ORS 326.125 or these rules.

(30) “Waitlist Ranking” means the list of Districts not initially awarded a State Matching Grant, based on either the District’s position on the Priority List or the District’s First in Time status, during any Funding Cycle.

**Statutory/Other Authority:** Sec. 2 & 5, Ch. 783 & Ch. 788
**Statutes/Other Implemented:** Ch. 788, Sec. 2, 4 & 5 & Ch. 783
**History:**
ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019
ODE 32-2018, amend filed 10/19/2018, effective 10/21/2018
ODE 4-2017, f. & cert. ef. 3-1-17
ODE 41-2016, f. & cert. ef. 7-20-16
ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0010
Calculations for Oregon School Capital Improvement Matching Program Priority List

(1) For each Funding Cycle, the Department shall provide State Matching Grants to Districts from designated resources in the Oregon School Capital Improvement Matching Account. The Department shall determine and apportion the amount of available resources among the Funding Cycles in each biennium. The total amount of State Matching Grant funds available and awarded by the Department may vary during each Funding Cycle.

(2) The Department shall post on its website the amounts that will be available for OSCIM Grants for each Funding Cycle within a reasonable time after the Legislature determines the level of funding for the Oregon School Capital Improvement Matching Account.

(3) If the Legislature does not determine the amount of funding for the Oregon School Capital Improvement Matching Account until after the application period opens for a given Funding Cycle, the application period will run as normal. However, any posting of results will be delayed until such time as the Legislature determines the amount of funding for the Oregon School Capital Improvement Matching Account.

(4) If the Legislature does not appropriate any funds for the OSCIM Program for a biennium, or any part of the biennium, then the OSCIM Program will cancel open application periods and future application periods until funding is restored.

(5) Sixty percent (60%) of designated grant resources in the Oregon School Capital Improvement Matching Account shall be awarded based on the Priority List.

(6) The Priority List shall be based on a District’s Assessed Value, Percentage of Students in Poverty, and Average Daily Membership.

(7) The Department shall update the Priority List every biennium. The Priority List will be updated no later than June 1 before the start of the next biennium. The updated Priority List will be effective at the start of the next biennium. To update the list, the Department will use the data from the most recent year for which all three sources have reported actual data.

(8) The Priority List shall be calculated as follows:

(a) The District’s Students in Poverty shall be multiplied by twenty (20) to determine the Weighted Number of Students in Poverty.

(b) The District’s Weighted Number of Students in Poverty shall be divided by the District’s Adjusted ADMr to arrive at the District’s Percentage of Students in Poverty.

(c) The District’s Assessed Value shall be divided by the District’s Adjusted ADMw to determine the District’s Assessed Property Value per ADM.

(d) The District’s Assessed Property Value per ADM shall then be divided by one (1) plus the Percentage of Students in Poverty to determine the District’s Adjusted Assessed Value per ADM.

(e) The Districts will be ranked from the lowest Adjusted Assessed Property Value per ADM to the highest.

**Statutory/Other Authority:** Sec. 2 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
**Statutes/Other Implemented:** Sec. 2, 4 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0015
Calculations for Oregon School Capital Improvement Matching Program Funding Formula

(1) The Department shall provide State Matching Grants to Districts from available resources in the Oregon School Capital Improvement Matching Account.

(2) Sixty percent (60%) of the available resources in the Oregon School Capital Improvement Matching Account for a biennium shall be awarded based on the Priority List.

(3) Forty percent (40%) of the available resources in the Oregon School Capital Improvement Matching Account for a biennium shall be awarded based on the order in which applications are received during the application period established by the Department for the Funding Cycle.

(4) The Department shall use a funding formula to determine the amount of State Matching Grant funds each District is eligible to receive from the Oregon School Capital Improvement Matching Account. This funding formula will be used to determine eligibility for State Matching Grants awarded through both the Priority List and First in Time application process.

(5) Districts whose voters pass $4,000,000 or less in Local GO Bonds for District facility projects shall be eligible for a one-to-one match from State Matching Grant funds.

(6) Districts whose voters pass more than $4,000,000 in Local GO Bonds for District facility projects shall be eligible for at least $4,000,000 and no more than $8,000,000 based on the following formula:

(a) The District’s Adjusted Assessed Property Value per ADM as determined by OAR 581-027-0010 shall be multiplied by the assumed tax rate of 0.001 ($1 per $1000 of assessed property value) to calculate the District’s Estimated Local Bond Revenue per ADM.

(b) The Estimated Local Bond Revenue per ADM shall be subtracted from the Guaranteed Tax Rate Amount to determine the amount of eligible State Matching Grant funds per ADM.

(c) The eligible State Matching Grant funds per ADM shall be multiplied by the District’s Adjusted ADMw to determine the maximum amount of State Matching Grant funds for which a District is eligible.

(7) The Department shall use the lesser of total proceeds from the sale of the Local GO Bonds exclusive of underwriter’s discount and other costs of issuance or the original amount requested by the District as the final basis for calculating the State Matching Grant.

(8) Local GO Bonds used by a District to qualify for the OSCIM Program must be Closed within nine (9) months of the date of the election at which the Local GO Bonds were approved.

**Statutory/Other Authority:** Sec. 2 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
**Statutes/Other Implemented:** Sec. 2, 4 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
**History:**
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0020
Oregon School Capital Improvement Matching Program Application

(1) The Department shall create one application for Districts to apply for State Matching Grants from the Oregon School Capital Improvement Matching Account.

(2) The Department shall post the application on the Department’s web page.

(3) The Department shall open applications for each Funding Cycle as follows:

(a) On the July 15 that precedes the first November Funding Cycle in a biennium;

(b) On the September 15 that precedes the first May Funding Cycle in a biennium;

(c) On the March 15 that precedes the second November Funding Cycle in a biennium; and

(d) On the September 15 that precedes the second May Funding Cycle in a biennium.

(4) If one of those dates falls on a weekend or holiday, then the application period will be opened the Friday preceding.

(5) Applicants must submit their application electronically. Districts may submit applications only for an open and current Funding Cycle. The Department will not accept applications for later Funding Cycles.

(6) If a District’s application does not meet the application requirements:

(a) The Department may agree to an extension of time, but no more than sixty (60) days from the deadline for submission, for the District to correct the deficiencies; and

(b) The Department may allow the District to continue to apply to the OSCIM Program even if the additional time extends beyond the application window.

(7) If a District fails to make the corrections within the agreed upon time, the Department shall cancel the District’s application and readjust the pre-election commitments made.

(8) A District that submits an application for a Funding Cycle may withdraw the application no later than sixty (60) days from the application deadline and be eligible to reapply for the next Funding Cycle.

(9) A District that does not withdraw its application within sixty (60) days from the application deadline, may not apply to the OSCIM Program until the election for the Funding Cycle in which the District applied occurs.

(10) The Department shall:

(a) Rank complete applications from Districts for each Funding Cycle according to the Priority List formula;

(b) Make funding commitments to Districts with the highest ranking on the priority list until sixty percent (60%) of the available resources for that Funding Cycle are used;

(c) Make funding commitments to the remaining Districts in accordance to the First in Time process for that Funding Cycle.

(d) If a District receives a partial commitment in a Funding Cycle, the Department shall not round up that partial commitment by reducing funds available to other Funding Cycles.

(11) In order to promote equity across the state, the Department shall deem all applications received within a specified period of time for each Funding Cycle as being received at the same time.

(a) The Department shall establish the following periods for reception of applications:

(A) 8:00 a.m. to 12:30 p.m. will be the first application period; and

(B) 12:31 p.m. to 5:00 p.m. will be the second application period.

(b) All applications received during one of the above time periods will be deemed to have been received at the same time for purposes of awarding First in Time commitments.

(c) The Department shall commit First in Time funding to those applications received in the first period first. If there is funding remaining, then the Department shall commit the remaining funding to the second period.

(d) If the First in Time funding is insufficient to provide a commitment to all Districts within a given time period for that Funding Cycle, the Department shall randomly select the Districts by a lottery process to determine which Districts will receive an award commitment.

(e) The lottery process shall be determined by the Department.

(f) All lottery results are final.

(12) The Department shall notify Districts that receive a funding commitment from the Oregon School Capital Improvement Matching Account within two weeks of the close of the application period for a Funding Cycle.

(13) The Department shall post the eligibility and ranking of all Districts that applied during that Funding Cycle on the Department’s website. Districts that applied but did not receive a commitment will be notified of where they fall on the Waitlist Ranking.

(14) All funding commitments are contingent upon the District subsequently Closing the required Local GO Bonds within nine (9) months of that Funding Cycle’s bond election.

(15) Any Districts on the Waitlist Ranking may choose to seek voter approval for Local GO Bonds in that Funding Cycle with the understanding that State Matching Grant funds may become available for that Funding Cycle if a District that has received a commitment is unsuccessful in passing their Local GO Bonds.

(16) All funding commitments to Districts that successfully pass their Local GO Bonds in the Funding Cycle will be officially awarded a State Matching Grant upon the execution of a grant agreement prescribed by the Department.

(17) All funding commitments to Districts that are not successful in passing their Local GO Bonds will be recommitted to Districts that have successfully passed Local GO Bonds in that election in the following order:

(a) All Districts that received a partial commitment that passed a Local GO Bond will receive funding up to the full award.

(b) All Districts on the First in Time Waitlist Ranking that passed a Local GO Bond, will receive an award from the uncommitted First in Time funds.

(c) All Districts that received an award from the First in Time Waitlist Ranking will be removed from the Priority List Waitlist Ranking.

(d) All Districts remaining on the Priority List Waitlist Ranking that passed a Local GO Bond will receive any funds remaining from Districts that received a commitment, but failed to pass a Local GO Bond.

(18) Districts will have to reapply each Funding Cycle to receive a commitment for that Funding Cycle. A District will not be able to carry forward any commitments made in previous Funding Cycles.

(19) All decisions of the Department regarding the completeness of the application or ranking under either the Priority List or First in Time process are final.

(20) Any funding remaining after all awards have been made for a Funding Cycle shall be moved forward to the next Funding Cycle.

(21) If there are funds that remain available after the last election in a biennium, those funds will be distributed as follows:

(a) Districts with a partial commitment will be funded starting in order from the first election of the biennium;

(b) Districts that applied for the OSCIM Program and passed a Local GO Bond, but did not receive any funds will be funded starting in order from the first election of the biennium.

(22) When a state of emergency is declared pursuant to ORS 401.165 et. seq., the Department shall determine if the emergency will negatively impact a Funding Cycle and may:

(a) Change any application deadlines stated in (3) or OAR 581-027-0023(2) if the emergency interferes with Districts’ abilities to submit the required documents by those deadlines; and

(b) Allow Districts to withdraw from the election during the affected Funding Cycle and hold their election during the next Funding Cycle.

(23) If Districts withdraw from the affected Funding Cycle, the Department may:

(a) Transfer funding commitments made to Districts during the affected Funding Cycle to the next Funding Cycle; and

(b) Apply the waitlist ranking of the affected Funding Cycle to the next Funding Cycle.

(24) The transfer of funding commitments and waitlist ranking made during the affected Funding Cycle do not impact or change funding commitments or waitlist ranking for the next Funding Cycle that have already been made by the Department.

(25) A District is considered to have withdrawn from an election when it sends its intention to withdraw from the election in writing to the Department.

(26) If multiple Funding Cycles are affected by the declared state of emergency, the Department shall review each Funding Cycle separately.

**Statutory/Other Authority:** Sec. 2 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
**Statutes/Other Implemented:** Sec. 2, 4 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
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ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0023
Submission of Facility Assessments and Long-Range Facility Plans as part of Oregon School Capital Improvement Matching Program Grant Application

(1) In order to qualify for an OSCIM Program matching grant, Districts must submit a Facility Assessment and Long-Range Facility Plan as part of their OSCIM Program application. Failure to submit a Facility Assessment and Long-Range Facility Plan will disqualify the District from participation in the OSCIM Program application for that Funding Cycle.

(2) Districts shall submit their Facility Assessment and Long-Range Facility Plan as follows:

(a) By the preceding July 1 for the first November Funding Cycle in the biennium;

(b) By the preceding September 1 for the first May Funding Cycle in the biennium;

(c) By the preceding March 1 for the second November Funding Cycle in the biennium; or

(d) By the preceding September 1 for the second May Funding Cycle in the biennium.

(3) The Facility Assessment and Long-Range Facility Plan must be submitted electronically to the Department.

(4) The Department will review all Facility Assessment and Long-Range Facility Plan submissions to ensure compliance with requirements.

(5) If the Department determines a District’s submission does not meet the requirements, the Department will notify the District of the deficiencies.

(6) The Department may agree to an extension of time, but no more than sixty (60) days from the deadline for OSCIM Program application submission, for the District to correct the deficiencies.

(7) If a District fails to make the corrections within the agreed upon time, the Department will cancel the District’s application and readjust the pre-election commitments made.

(8) The Facility Assessment must meet the following requirements:

(a) Comply with the standards set forth in OAR 581-027-0035;

(b) Cover buildings that will be included in the OSCIM Program grant application. A District may include Facility Assessments for more buildings than would be improved using OSCIM Program funds; and

(c) Cover a District’s current buildings even if the District is applying for the OSCIM Program only for the construction of a new building.

(9) The Long-Range Facility Plan must meet the following requirements:

(a) Comply with the standards set forth in OAR 581-027-0040; and

(b) Demonstrate how the new buildings proposed to be built are integrated into the Long-Range Facility Plan.

(10) Districts are not required to use a Certified Assessor to complete the Facility Assessment or the Long-Range Facility Plan.

(11) A District may use the same Facility Assessment and Long-Range Facility Plan as a basis for an OSCIM Program application for four (4) years from the year in which the plan was completed.

(12) The Department’s determination of the adequacy of the Facility Assessment and Long-Range Facility Plan is final.

**Statutory/Other Authority:** ORS 286A.801(8)
**Statutes/Other Implemented:** ORS 286A.801(2)
**History:**
ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019
ODE 7-2017, f. & cert. ef. 6-1-17

581-027-0025
Oregon School Capital Improvement Matching Program Grant Restrictions

(1) A District that receives a State Matching Grant will be ineligible for additional State Matching Grant funds for six (6) years from the year in which the District successfully passed their Local GO Bond.

(2) A District may not use State Matching Grant funds to refinance other general obligation bonds issued by the District.

(3) A District must use State Matching Grant funds for capital costs as defined in ORS 286A.796(3).

(4) A District may use State Matching Grant funds to reimburse the District for capital costs incurred by the District prior to the Funding Cycle in which the District was awarded a grant only if:

(a) The Department approves the use of State Matching Grant funds for such purpose; and

(b) The District complies with all requirements of the OSCIM Program.

(c) The Department’s approval or disapproval of the use of State Matching Grant funds is final.

(5) State Matching Grant funds shall be used only to match the proceeds of Local GO Bonds authorized by an election in the same Funding Cycle in which the District applied for State Matching Grant funds.

**Statutory/Other Authority:** Sec. 2 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
**Statutes/Other Implemented:** Sec. 2, 4 & 5, Ch. 783 & OL 2015 (Enrolled SB 447)
**History:**
ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 30-2016, f. & cert. ef. 4-28-16

581-027-0030
Technical Assistance Grant Program Procedures

(1) The Department shall open the application period for the Technical Assistance Grant Program on January 15 of each year and close the application period on February 15 of the same year. If either of those dates falls on a weekend or holiday, the preceding Friday will be the effective date of the opening or closing respectively.

(2) The Department shall establish a separate application for each type of assessment available.

(3) Each District must submit a separate application for each assessment for which it chooses to apply.

(4) All Districts are eligible for each type of assessment.

(5) All applications are due by the date established by the Department. No late applications will be accepted.

(6) The Department shall evaluate each completed application by awarding preference points as established by this rule.

(7) An application will receive one (1) point for each preference that the application meets.

(8) An application will receive a final score that is the total of the application’s points.

(9) Applications will be funded from highest to lowest score.

(10) If there is not enough funding to provide a Technical Assistance Grant to all applications that have equal scores, then the Department shall create a lottery to determine which applications will receive a Technical Assistance Grant.

(11) The preference points for the Facility Assessment are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has not conducted a Facility Assessment within ten (10) years or less;

(d) District has not passed a general obligation bond within fifteen (15) years or less;

(e) District’s ADMr has changed by ten percent (10%) or more over the last five (5) years based on the latest annual reports submitted to the Department; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(12) The preference points for the Long-Range Facility Plan are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has not conducted a Long-Range Facility Plan within ten (10) years or less;

(d) District has not passed a general obligation bond within fifteen (15) years or less;

(e) District’s ADMr has changed by ten percent (10%) or more over the last five (5) years based on the latest annual reports submitted to the Department; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(13) The preference points for the Seismic Assessment are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has not conducted an assessment for Business Oregon’s Seismic Rehabilitation Grant Program;

(d) District identifies a number of schools it intends to assess and at least fifty percent (50%) are listed as “High” or “Very High” for collapse potential in the Rapid Visual Survey created by the Department of Geology and Mineral Industries;

(e) District’s Mapped Spectral Acceleration for 1-second period (Ss) is greater than 0.6 as calculated by the United States Geological Survey; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(14) The preference points for the Environmental Hazard Assessment are:

(a) District has twenty-five percent (25%) or more of its ADMr identified as Students in Poverty;

(b) District has under 2,500 ADMr according to the annual reports for the same school year as used to calculate the Priority List under OAR 581-027-0010;

(c) District has school and administrative buildings that have not been tested for radon, or district has school and administrative buildings that had testing completed after July 1 of the preceding year;

(d) District’s radon risk level is either “High” or “Not Assigned” according to information published by the Oregon Health Authority that provides for radon risk levels based on geography;

(e) District has a school that qualifies as a remote small elementary school per ORS 327.077; and

(f) District has completed its annual electronic submission of its building and bond data to the Department by February 15 of each year.

(15) A District that is awarded a Technical Assistance Grant must:

(a) Enter into a grant agreement with the Department by the time specified by the Department;

(b) Use a Certified Assessor to perform a Facility Assessment or Long-Range Facility Plan;

(c) Provide the Department with an electronic copy of any final reports required by the Technical Assistance Grant; and

(d) Provide the Department with an electronic copy of invoices showing expenses incurred in performing the work for the specific Technical Assistance Grant.

(16) A District must reapply each time a new grant application is announced if a District did not receive a grant in a grant application period.

(17) A District may apply to the Technical Assistance Program to reimburse the District for assessments previously completed if:

(a) The previous assessment work was started within six (6) months of the application period;

(b) The previous assessments meet all requirements set forth for the type of the assessment in these administrative rules; and

(c) The District submits a final copy of the report and all invoices within the required period for a Technical Assistance Program grant.

(18) Districts must submit all final reports and invoices by the date specified by the Department. If a District does not meet that deadline, the Department may rescind their grant funds.

(19) A District that receives a Technical Assistance Program grant will be ineligible to reapply for that specific grant for four (4) years from the year the grant was issued.

**Statutory/Other Authority:** Sec. 2 and 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447)
**Statutes/Other Implemented:** Sec. 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447)
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 41-2016, f. & cert. ef. 7-20-16

581-027-0035
Facility Assessment Requirements

Each Facility Assessment shall contain:

(1) Name of Building.

(2) Building ID Number.

(3) Physical Address.

(4) Gross Square Footage.

(5) Original Construction Date.

(6) Original Construction Type.

(7) Additions:

(a) Construction Date;

(b) Construction Type;

(c) Construction Square footage; and

(d) Addition Construction Usage.

(8) Renovations:

(a) Construction Date;

(b) Construction Type;

(c) Construction Square Footage; and

(d) Renovation Construction Usage.

(9) UNIFORMAT II Infrastructure Assessment: An assessment of each applicable building element as listed in the American Society for Testing and Materials (ASTM) UNIFORMAT II Classification (October 1999) of Building Elements Level 3 that provides the following:

(a) ASTM Number;

(b) System Name;

(c) Description of System;

(d) Number of systems or square footage of system in need of repair or want of replacement;

(e) Level of repair/replacement needed. The percent of the building affected should be noted to assist in cost estimating; and

(f) Notes as to what specifically needs to be done to repair or replace the system.

(10) Additional items:

(a) A safety and security analysis of the facility that determines if the facility meets current best practices for providing a safe and secure environment;

(b) An ADA assessment and listing of deficiencies;

(c) Assessment of technology infrastructure in the facility including bandwidth, type of internet connection, presence of wireless networks, and other means of providing access to information technology;

(d) Assessment of indoor air quality; and

(e) Presence of harmful substances such as lead or asbestos in the facility based on District reports.

(11) Value Assessment:

(a) The current replacement value of the building using cost per square foot standards as determined by the Department and updated annually; and

(b) The Facilities Condition Index of the building as calculated by dividing the total estimated construction costs to completely repair the building by the current replacement value of the building.

(12) All information shall be submitted electronically to the Department on a Department-established template which shall be used by Districts and Certified Assessors.

**Statutory/Other Authority:** Sec. 2 and 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447)
**Statutes/Other Implemented:** Sec. 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447)
**History:**
ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019
ODE 7-2017, f. & cert. ef. 6-1-17
ODE 4-2017, f. & cert. ef. 3-1-17
ODE 41-2016, f. & cert. ef. 7-20-16

581-027-0040
Long-Range Facility Plan Requirements

Each Long-Range Facility Plan shall contain the following information:

(1) Population projections by school age group for the next ten (10) years using U.S. Census or Census partner data.

(2) Collaboration with local government planning agencies (city and/or county) that results in:

(a) Identification of suitable school sites if needed; and

(b) Site acquisition schedules and programs.

(3) Evidence of community involvement in:

(a) Determining educational vision of local community;

(b) Reviewing the costs of identified improvements;

(c) Prioritizing the identified improvements; and

(d) Determining potential sources of funds for the improvements.

(4) Identification of buildings on historic preservation lists including the National Historic Register, State Historical Preservation Office, and local historic building lists.

(5) Analysis of District’s current facilities’ ability to meet District-adopted educational adequacy standards:

(a) Identification of standards adopted by District that are used to determine educational adequacy for District;

(b) Identification of ability of current facility capacity to meet District-adopted educational adequacy standards; and

(c) If current facilities are unable to meet District-adopted educational adequacy standards, District will then:

(A) Identify deficiencies in current facilities;

(B) Identify changes needed to bring current facilities up to District-adopted educational adequacy standards; and

(C) Identify potential alternatives to new construction or major renovation of current facilities to meet District-adopted educational adequacy standards.

**Statutory/Other Authority:** Sec. 2 and 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447)
**Statutes/Other Implemented:** Sec. 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447).
**History:**
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 41-2016, f. & cert. ef. 7-20-16

581-027-0045
Seismic Assessment Requirements

Each Seismic Assessment shall contain the following:

(1) Name of Building.

(2) Gross Square Footage of Building.

(3) Physical Address.

(4) Original Construction Date.

(5) Original Construction Type.

(6) Additions:

(a) Construction Date;

(b) Construction Type;

(c) Construction Square Footage; and

(d) Construction Usage.

(7) Procedures used to determine the building’s ability to meet the Basic Performance Objective for Existing Buildings (BPOE) in ASCE 41-17. Specifically:

(a) The building’s ability to perform to the Limited Safety Structural Performance Level at the BSE-2E hazard level in ASCE 41-17 if building is categorized as Risk Category III, school buildings, not including areas which may be used as emergency shelters, under OAR 123-051-0600; or

(b) The building’s ability to perform to the Life Safety Structural Performance Level at BSE-2E hazard level AND the Immediate Occupancy Structural Performance Level at the BSE-1E hazard level in ASCE 41-17 if building is categorized as Risk Category IV, emergency service buildings and school areas that may be used as emergency shelters, under OAR 123-051-0600.

(8) List of deficiencies that need to be corrected to qualify building to meet the Basic Performance Objective for Existing Buildings in accordance with ASCE 41-17.

(9) List of drawings illustrating schematic rehabilitation tasks to rectify listed deficiencies in accordance with ACSE 41-17 standard.

(10) Cost estimate provided by professional with knowledge about the type of work to be done that includes contingencies built into all budget categories.

(11) Certification of the final assessment provided by registered Structural Engineer licensed in the State of Oregon.

**Statutory/Other Authority:** Sec. 2 and 5, Ch. 783 & OL 2015 (Enrolled Senate Bill 447)
**Statutes/Other Implemented:** Ch. 783, OL 2015 (Enrolled Senate Bill 447) & Sec. 5
**History:**
ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019
ODE 12-2019, amend filed 04/22/2019, effective 04/22/2019
ODE 42-2018, amend filed 12/10/2018, effective 12/10/2018
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 41-2016, f. & cert. ef. 7-20-16

581-027-0050
Assessor Certification Program

(1) The Department shall establish a program whereby entities or individuals can apply to become Certified Assessors for the purposes of the Technical Assistance Grants.

(2) The program shall contain a portion of instruction on the methods to be used by Certified Assessors in performing Facility Assessment and Long-Range Facility Plan work.

(3) The program shall contain a test such that those that pass will become Certified Assessors.

(4) The Department shall post on its website specific information for each time the training program is held.

(5) No entity or individual may become a Certified Assessor unless:

(a) They meet the requirements to apply for the program;

(b) Attend and complete the training for Certified Assessors; and

(c) Pass a written examination at the end of the training program.

**Statutory/Other Authority:** ORS 286A.801(8)
**Statutes/Other Implemented:** ORS 286A.801(2)
**History:**
ODE 21-2019, amend filed 06/25/2019, effective 06/25/2019
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ODE 4-2017, f. & cert. ef. 3-1-17
ODE 41-2016, f. & cert. ef. 7-20-16